



**W.P(MD)No.28173 of 2022**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED:12.04.2023**

**CORAM :**

**THE HONOURABLE MR.JUSTICE G.ILANGO VAN**

**W.P(MD)No.28173 of 2022**  
**and W.M.P.(MD).No.22242 of 2022**

Thiyagarajan

... Petitioner

Vs.

- 1.The District Collector,  
Tirunelveli District,  
Tirunelveli.
- 2.The Superintendent of Police,  
Tirunelveli District,  
Tirunelveli.
- 3.The Revenue Divisional Officer,  
Tirunelveli District,  
Tirunelveli.
- 4.The Deputy Tahsildar,  
Palayamkottai,  
Tirunelveli.
- 5.The Inspector of Police,  
Taluk Police Station,  
Tirunelveli District.  
(LIR No.62/2022)
- 6.Balakrishnan
- 7.Bombay Paramasivam



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8.Navaneethan

9.Kumar

10.Sivaganesh

11.Thangaswamy

12.Rajivgandhi

13.Arumugham

.... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus by calling for entire records pertaining to the order passed by the 4<sup>th</sup> respondent, dated 01.08.2022 and quash the same and consequently direct the 1 to 5 respondents to grant permission for conducting kodai festival in the temple Sri Pazhuvatthi Amman Temple, South Ariyakulam Tirunelveli District under their supervision.

For Petitioner : Mr.P.Samuel Gunasingh

For Respondents : Mr.B.Nambiselvan for R1 to R5  
Additional Public Prosecutor

Mr.V.M.Jegadeesh Pandian  
for R6 to R13

### **ORDER**

The writ petitioner filed this Writ Petition, challenging the order passed by the 4<sup>th</sup> respondent, dated 01.08.2022 and consequently seeking



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direction to the 1 to 5 respondents to grant permission for conducting kodai festival in the temple Sri Pazhuvatti Amman Temple, South Ariyakulam, Tirunelveli District under their supervision.

2.The learned counsel for the petitioner would submit that absolutely they have no objection to include all the Villagers in the above said temple festival.

3.The learned counsel for the private respondents would submit that arrangements have been made by the petitioner individually to conduct the above said festival or celebration as the case may be. But, in view of the submission made by the counsel for the petitioner, the respondents have also no objection to participate and celebrate the festival.

4.In view of the above said understandings that has been reached between the parties before this Court, even though 107 Cr.P.C. proceedings has been initiated by the fourth respondent, the Deputy Tahsildar, let the petitioner as well as the private respondents, who are the rival parties, give an undertaking before the fourth respondent that



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have made by them before this Court. On the basis of the above said undertaking to be given by the parties, the fourth respondent shall pass orders permitting the festival to go on. On the basis of the order of the fourth respondent, the fifth respondent shall consider the representation for providing police protection.

5. With regard to the rights of the Management of the Temple, it is open to the parties to settle the same through appropriate proceedings, which, this Court is not now going to discuss anything. The learned counsel for the petitioner would submit that with regard to the above said right of Management, he has not making any submissions before this Court at this stage. The above said submission made by the petitioner's counsel is also placed on record.

6. With the above said directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**12.04.2023**

NCC : Yes/No  
Index : Yes/No  
Internet : Yes/ No  
TM



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To

- 1.The District Collector,  
Tirunelveli District,  
Tirunelveli.
- 2.The Superintendent of Police,  
Tirunelveli District,  
Tirunelveli.
- 3.The Revenue Divisional Officer,  
Tirunelveli District,  
Tirunelveli.
- 4.The Deputy Tahsildar,  
Palayamkottai,  
Tirunelveli.
- 5.The Inspector of Police,  
Taluk Police Station,  
Tirunelveli District.  
(LIR No.62/2022)
- 6.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**G.ILANGO VAN, J**

TM

**Order made in**  
**W.P(MD)No.28173 of 2022**

**Dated :12.04.2023**